

REMARKS / ARGUMENTS

Claims 3-5 and 11-12 remain pending in this application. Claims 1, 7 and 9 have been canceled without prejudice or disclaimer. No new claims have been added.

Priority

Applicants request acknowledgment of the claim for priority and receipt of the priority document. The priority document (JP 2003-403970, filed December 3, 2003) was filed with the initial application on March 10, 2004.

Information Disclosure Statement

On May 12, 2005 Applicants filed an Information Disclosure Statement. However, the Examiner has not returned an initialed copy of the PTO-1449 Form. Applicants request that the Examiner initial and return a copy of the attached PTO-1449 Form to indicate that the document has been considered. Another Information Disclosure Statement accompanies this response.

INTERVIEW

Applicants wish to thank the Examiner for granting an interview on September 27, 2005. During the interview, arguments were presented for the patentability of the rejected claims.

35 U.S.C. §103

Claims 1, 7 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over LaRue et al (U.S. Patent No. 6,449,622) in view of Bauer et al (U.S. Patent No. 5,926,816).

Claims 1, 7 and 9 have been canceled without prejudice or disclaimer in order to expedite the issuance of subject matter indicated as being allowable. In other works, while Applicants strongly believe that claims 1, 7 and 9 are clearly patentable over the art of record, these claims are nonetheless being canceled to prevent further delay of issuance of allowable subject matter. As such, the cancellation of these claims should not be viewed as an acquiescence to the Examiner's rejection.

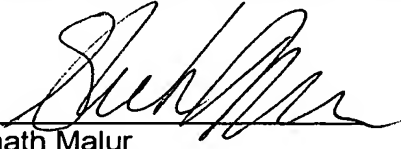
Claims 3 and 11 have been rewritten in independent form. Therefore, the application is in condition for allowance.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By 
Shrinath Malur
Reg. No. 34,663
(703) 684-1120